

30.03.2026  
Sl. No.08  
Ct. 28  
NB

**C.R.M (A) 4284 of 2025**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sagardighi PS Case No.782 dated 10.09.2025 under Sections 338/336(3)/318(4)/61(2)/395 of the Bharatiya Nyay Sanhita, 2023 corresponding to 467/469/420/120B/34 of the Indian Penal Code.

And

In the matter of: Jiyaur Rahaman & Ors. ... petitioners

Mr. Raja Mukherjee.  
...for the petitioners.

Mr. Madhusudan Sur,  
Ms. Rajnandini Das.  
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioners are enjoying the land in question as patta holders. There is no question of manufacturing any deed of ownership for the said land. The allegations made in the FIR are absolutely false.

Learned counsel appearing on behalf of the State, upon instruction obtained from the Investigating Officer present in Court, relies on the case diary and opposes the prayer for anticipatory bail. He submits that a photostat copy of the questionable deed allegedly manufactured by the petitioners has been relied upon. The case was started pursuant to an application filed under Section 175(3) of the BNSS. However, there is a report of the BL&LRO, Sagardighi, Murshidabad dated 22.09.2025 stating that a patta case was initiated vide R.S. Case No.-15/XII 2002-2003 on

plot No. L.R.321 of Mouza- Gokulata, J.L. No.55 in area 0.74 acre and then the patta deed was given to the petitioners namely Jiaur Rahaman, Ayes Kurni Sk. and Lokman Sk. with respective portions of the area in the said plot.

Considering the above, the other materials available in the case diary and the fact that the allegations also have a civil profile, I do not think that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.

Accordingly, in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioners shall meet the Investigating Officer once a fortnight till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

The presence of the Investigating Officer is noted and is dispensed with.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

**(Jay Sengupta, J.)**

